

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There are two Extraordinary issues to the Official Gazette Series I No. 33 dated 15-11-2001 as follows:-

1. Extraordinary dated 16-11-2001 from pages 763 to 764 regarding Notifications from Department of Water Resources and Department of Transport.
2. Extraordinary (No. 2) dated 21-11-2001 from pages 765 to 766 regarding Notification from Department of Panchayat Raj and Community Development (Directorate of Panchayats).

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Archives & Archaeology

Notification

6/6/88-DAA/part.1/1741

Read:- Government order No. 6/6/88-HA-324 dated 25th May, 1998.

In partial modification of the Government Order quoted above, sanction of the Government is hereby accorded for an addendum as item No. 7 to the above order for rendering services of Microfilm Digital prints in addition to the reprographic services already rendered by the Directorate of Archives & Archaeology, Panaji, Goa.

Sr. No.	Types of Service	Charges for	Charges in
		Indian Public/ /Scholars	Rs. for Foreign Scholars.
7.	Microfilm Digital Prints	Rs. 25/- per copy of A4 size	Rs. 40/- per copy of A4 size

It shall be at the discretion of the Director of Archives & Archaeology to issue copies as Microfilm Digital prints depending upon the condition of the document and other factors.

The receipt shall be credited to the Major Head of Account: 0202-Education, Sports, Arts and

Culture, 04-Art & Culture, 101-Archives & Museum, 01- Archives & Museum.

Dr. S. H. K. Mhamai, Director Archives & Archaeology.

Panaji, 5th November, 2001.

Department of Finance

Revenue & Expenditure Division

Office Memorandum

12/3/82-Fin(R&C)

A copy of the undermentioned O. M. received from the Government of India, Ministry of Personnel, Public Grievances & Pensioners Department of Pension & Pensioners Welfare, New Delhi is forwarded herewith for being published in the Official Gazette.

Yvonne Cunha, Under Secretary (Finance-Exp.).

Panaji, 6th November, 2001.

Government of India

Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners Welfare

New Delhi, the 25th September, 2001

Office Memorandum

42/2/2001-P&PW(G)

Subject: Grant of dearness relief to Central Government pensioners/family pensioners - Revised rate effective from 1-7-2001.

The undersigned is directed to refer to this Department's O.M. No. 42/2/2001-P&PW(G)

dated 11-04-2001 sanctioning the instalment of dearness relief admissible from 01-01-2001 and to say that the President is pleased to decide that dearness relief shall be paid to the Central Government Pensioners/Family Pensioner to compensate them for the rise in cost of living beyond average Consumer Price Index 306.33 (as on 01-01-1996) at the rate of 45% w.e.f. 01-07-2001 in supersession of the rate mentioned in the O.M. dated 11-04-2001 refer to above.

2. These orders apply to (i) all Civilian Central Government Pensioners/Family Pensioners, (ii) The Armed Forces Pensioners, Civilian Pensioners paid out of the Defence Services Estimates, (iii) All India Service pensioners, (iv) Railway pensioners and (v) The Burma Civilian pensioners/family pensioners and pensioners/families of displaced Government pensioners from Pakistan, who are Indian Nationals but receiving pension on behalf of Government of Pakistan, who are in receipt of ad hoc ex gratia allowance of Rs. 1275/- p.m. in terms of this Department's O.M. No. 23/1/97-P&PW (B) dated 23-2-1998.

3. Central Government Employees who had drawn lumpsum amount on absorption in a PSU/Autonomous body and have become eligible to restoration of 1/3 rd commuted portion of pension as well as revision of the restored amount in terms of this department's O.M. No. 4/59/97-P&PW(D) dated 14-7-1998 will also be entitled to the payment of DR @ 45% w.e.f. 1-7-2001 on full pension i.e. the revised pension which the absorbed employee would have received on the date of restoration had he not draw lumpsum payment on absorption subject to fulfilment of the conditions laid down in para 5 of the O.M. dated 14-7-98. In this connection instructions contained in this Deptt.'s O.M. No. 4/29/99-P&PW(D) dated 12-7-2000 refers.

4. The surviving CPF beneficiaries who had retired from service between the period 18-11-1960 to 31-12-1985 and are in receipt of ex gratia @ Rs. 600/- p.m. with effect from 1-11-1997 under this Department's O. M. No. 45/52/97-P&PW(E) dated 16-12-1997 are entitled to Dearness Relief @ 45% w.e.f. 1-7-2001.

5. The following categories of CPF beneficiaries who are in receipt of ex gratia payment in terms of this department's O. M. No. 45/52/97-P&PW(E) dated 16-12-1997 will be paid DR @ 37% w.e.f. 1-7-2001.

(i) The widows and dependent children of the deceased CPF beneficiary who had retired from service prior to 1-1-1986 or who had died while in service prior to 1-1-1986 and are in receipt of ex gratia payment of Rs. 605/- p.m.

(ii) Central Government Employees who had retired on CPF benefits before 18-11-1960 and are in receipt of ex gratia payment of Rs. 654/-, Rs. 659/-, Rs. 703/- and Rs. 965/-.

6. Payment of dearness relief involving a fraction of a rupee shall be rounded off to the next higher rupee.

7. Other provisions governing grant of dearness relief in respect of employed family pensioners and re-employed Central Government Pensioners will be regulated in accordance with the provisions contained in this Department's O.M. No. 45/73/97-P&PW(G) dated 2-7-1999. The provisions relating to regulation of DR where pensioner is in receipt of more than one pension will remain unchanged.

8. In the case of retired Supreme Court and High Court Judges necessary orders will be issued by the Department of Justice separately.

9. It will be the responsibility of the pension disbursing authority, including the nationalised banks, etc. to calculate the quantum of dearness relief payable in each individual case.

10. The offices of Accountant General and Authorised Public Sector Banks are requested to arrange payment of relief to pensioners etc. on the basis of above instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India in view of latter No. 528-TA, II/84-80-II dated 23-4-1981 of the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No. GANB No. 2958/GA-64(ii) (CGL)/81 dated the 21st May, 1981 addressed to State Bank of India and its subsidiaries and all Nationalised Banks.

11. In their application to the employees belonging to India Audit and Accounts Department these orders issue in consultation with the C&AG.

12. This issues with the concurrence of Ministry of Finance Department of Expenditure vide their U. O. No. 755/EV/2001 dated 24-9-2001.

Sd/-

Ganga Murthy,
Director.

Department of Inland Waterways

Captain of Ports

Notification

D/12018/PART/COP/2918

Whereas certain draft amendment rules which were proposed to be made so as to amend the Goa, Daman and Diu Ports Rules, 1983 were pre-published as required by sub-section (2) of Section 6 of the Indian Ports Act, 1908 (Central Act 15 of 1908), in the Official Gazette, Series I No. 5 dated 04-05-2000, under Notification No. D-12018/Part/COP dated 04-05-2000, inviting objections and suggestion from all persons likely to be affected thereby before the expiry of 15 days from the date of publication of the said Notification in the Official Gazette;

And whereas, the said Gazette was made available to the public on 04-05-2000;

And whereas, the objections and suggestions received by the Government have been considered by the Government.

And whereas, three companies vide their representations dated 19-5-2000 have objected for the proposed amendment, but their representation were received on 31-05-2000 by the Department.

And whereas, on scrutiny, it is found that no representations were received during the statutory time limit. However, their objections/ suggestions have been examined in details and found that there is no substance in the matter. Hence the same has been rejected by the Government.

Now, therefore, in exercise of the powers conferred by Section 6, read with Section 33 of the Indian Ports Act, 1908 (Central Act 15 of 1908), the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu Ports Rules, 1983, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Ports (Amendment) Rules, 2001.

(II) They shall come into force at once:

2. *Amendment of rule 54 A.*— In rule 54 A of the Goa, Daman and Diu Ports Rules, 1983, in Sub-rule (1), for the letters and figures "Re.1/-", the letters and figures "Rs. 3/-" shall be substituted.

By order and in the name of the Governor of Goa.

Capt. A. P. Mascarenhas, Captain of Ports and Ex-Officio Joint Secretary.

Panaji, 30th October, 2001.

Department of Public Works

Order

6-1(E)/CE-PWD-Accts/2001-02/936

Sub:- Enhancement of accommodation charges of Government Rest House at Margao-Goa

Sanction of the Government is hereby accorded to enhance the accommodation tariff of Government Rest House at Margao-Goa.

The enhanced rates of accommodation are as follows:—

Type of Accommodation	Charges while on Official duty/tour	Charges while not on Official duty	Private Visitors
<i>Suite I (A. C.)</i>			
Single	65/-	125/-	250/-
Double	125/-	225/-	432/-
<i>Suite II (A.C.)</i>			
Single	60/-	100/-	200/-
Double	100/-	200/-	350/-
<i>Cottages (A.C.)</i> <i>C1, C2, C3, C4</i>			
Single	90/-	150/-	180/-
Double	125/-	200/-	250/-
<i>Cottages (A.C.)</i> <i>C5</i>			
Single	100/-	200/-	300/-
Double	180/-	300/-	552/-
<i>Rooms (Non A.C.)</i>			
Single	30/-	55/-	80/-
Double	60/-	100/-	150/-
<i>Conference Hall</i>	-----	425/-	-----

All other rules of accommodation remains same.

This order comes into force with immediate effect.

This issues with the concurrence of Finance (Exp.) Department vide their U. O. No. FS/6086/F dated 9-10-2001.

By order and in the name of the Governor of Goa.

P. P. Borkar, Chief Engineer, P.W. D. & Ex-Officio Addl. Secretary.

Panaji, 5th November, 2001.

Department of Revenue

Notification

17/158/96-RD

In exercise of the powers conferred by clause 19 of Article 153 of the Legislative Diploma No. 2070 dated 15-4-1961, the Government of Goa hereby makes the following rules so as to amend the Goa, Daman and Diu Legislative Diploma No. 2070 dated 15-4-1961 Rules, 1985, as follows:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Rules, 2001.

2. *Insertion of new rules 14, 15, 16, 17, 18, and 19.*— After rule 13 of the Goa, Daman and Diu Legislative Diploma No. 2070 dated 15-4-1961 Rules, 1985, the following rules shall be inserted, namely:—

14. *Form of application for regularisation in terms of Article 372-A and fees payable thereof.*— Every application for regularisation as provided in clause (1) of Article 372-A shall be made in Form I hereto and shall be accompanied by a processing fee of rupees two hundred.

15. *Area of land to be regularised in terms of Article 372-A.*— (1) The area of land to be regularised in terms of Article 372-A shall be the land on which the residential house is constructed and the land around and appurtenant to such house subject to a maximum limit of five metres if such land lies within the jurisdiction of a Village Panchayat and two metres if such land lies within the jurisdiction of a Municipal Council, so however

that the total maximum area of land to be regularised shall not exceed 300 square metres if such land lies within the jurisdiction of a Village Panchayat and 200 square metres if such land lies within the jurisdiction of a Municipal Council, or the actual total area whichever is less, including the area of the land covered by the residential house.

(2) Where the distance between the outer wall of two houses is less than double the limit of five metres or two metres as the case may be, as stated in sub-rule (1) above, the land appurtenant to such houses shall be half of the land lying between the outer walls of the said residential houses.

16. *Documents required to be furnished alongwith the application made in terms of Article 372-A.*— Every application made under clause (1) of Article 372-A shall be accompanied by any one of the following documents as a proof of residence in the house which is proposed for regularisation, on or prior to 15-6-2000.

(I) (a) Notarised copy of the Electoral roll on or prior to the year 1999, containing the name of the applicant and indicating residence in the house proposed for regularisation.

(b) Electricity charges bill or water charges bill or telephone charges bill raised prior to 15-6-2000 in respect of the residential house proposed for regularisation or survey plan of the plot of land proposed for regularisation identifying the residential house thereon, attested by a Gazetted Officer.

(c) Any Registered A/D letter or telegram with clear address of the residential house proposed for regularisation and visible stamp mark in original dated on or prior to 15-6-2000.

(d) House tax receipt or No objection certificate from Panchayat or Municipality or construction licence, in respect of the residential house proposed for regularisation.

(II) Any minor document furnished by the applicant as a proof of residence in the house, proposed for regularisation, on or prior to 15-6-2000, to the satisfaction of the Collector to be taken on record.

17. *Procedure to be followed in procession/deciding the application made under clause (1) of Article 372-A.*— (1) All the interested persons

whosoever are eligible for submission of application under clause (1) of Article 372-A shall apply strictly within 180 days as provided in Article 372-A in Form I hereto with a processing fee of Rs. 200/- per application alongwith the proof of unauthorised occupation/wrongful possession/encroachment of Comunidade land and of the construction of house thereon and other documents specified in rule 13, to the respective Collector, failing which, the application shall not be entertained and any application received after the specified period shall be rejected.

(2) The application received with proper documentation and fee shall be entered in a register to be maintained to that effect by the Collector. The said application shall be scrutinised vis-a-vis the data available with the Collector regarding the unauthorised occupation/wrongful possession/encroachment on Comunidade land and if on scrutiny, the Collector is satisfied that the application is complete in all respects and the applicant is entitled for the benefit of Article 372-A, the application shall be forwarded to the concerned Comunidade within twenty days from the date of receipt of the application by the Collector concerned.

(3) The concerned Comunidade shall after receipt of the application forwarded by the Collector, treat it as a special case and process and place the same before the General Body meeting/Extraordinary meeting, a notice of which shall be published in the Official Gazette at least seven days prior to the date of the meeting. In such meeting the General body and in case of its failure to hold such meeting or to arrive at a decision on such application, the Administrative Board (Junta) shall resolve to grant land within a period of thirty days from the date of receipt of the application by the Comunidade.

(4) (a) The Administrator of the respective zone shall, on receipt of the relevant file, notify the applicant and the Procurador of the concerned Comunidade for inspection of plot after fixing the date and the hour for this purpose.

(b) The Inspection shall be carried out by the Administrator alongwith his Secretary, the applicant, the Procurador and the Clerk of the Comunidade/Surveyor.

(c) The Administrator shall prepare the inspection report mentioning therein the details of the area, boundaries, fees and the tax and submit the said report alongwith the relevant file to the Director of Civil

Administrator/Collector within sixty days for further necessary action.

(d) The Collector shall within a period of fifteen days from the date of receipt of the report from the Administrator, submit the said report and the relevant file with his recommendation thereon for the consideration of the Government and the Government shall after considering the recommendation of the Collector, take a final decision in the matter within 90 days.

18. *Fines for regularisation.*— (1) The Administrator shall impose a fine for the regularisation of the encroachment to the extent of 25% of the rates per square metre specified by the Government from time to time, in respect of talukas such as Canacona, Sanguem, Quepem, Satari, Bicholim and Pernem and to the extent of 50% of the said rate in respect of the remaining talukas of the State of Goa.

(2) The Collector shall charge the present prevailing conversion charges as conversion fees and a fine equivalent to the conversion charges.

19. *Regularisation of construction.*— The construction of the residential house proposed for regularisation shall be regularised by the local authority in accordance with the relevant laws in force administered by them.

FORM I

Form of application to regularise the unauthorised occupation/wrongful possession/encroachment on Comunidade land for residential purpose

To,
The Collector,

Sub:- Request to regularise the unauthorised occupation/wrongful possession/encroachment land belong to the Comunidade of for residential purpose, under Article 372-A.

Sir,

I, the undersigned, kindly request you to regularise my unauthorised occupation/wrongful possession/encroachment on Comunidade land in terms of Article 372-A of the Code of Comunidade as per the details below.

- (1) Name of the person :
- (2) Place of unauthorised occupation/wrongful possession/encroachment :

- (3) Present address of the unauthorised occupation/
/wrongful possession/
/encroacher :
 - (4) Native place of encroacher :
 - (5) Number of persons living with the encroacher (their details) :
 - (6) Occupation of the encroacher :
(i) Service (a) Government :
(b) Others :
(ii) Business :
(iii) any other i.e. farmer/
/labourer :
 - (7) Total income of encroacher including those residing with him. :
 - (8) Area of encroachment :
 - (9) Date of encroachment :
 - (10) Name of the Comunidade :
 - (11) Survey number of encroached land and name of village :
 - (12) Type of encroachment i.e.
(i) Residential or
(ii) Residential cum Commercial :
 - (13) Type of construction i.e.
(i) Pucca (ii) Kutcha
(iii) Mixed :
 - (14) Number of floors of construction :
 - (15) Area under construction :
 - (16) Whether any other encroachment on any other land and if yes, give details :
 - (17) Letter No. and date of letter of authorisation from Comunidade and Designation of the Official who authorised if any :
 - (18) Type of zone in which encroached land is situated :
(i) Settlement
(ii) Non-Settlement
(iii) CRZ
 - (19) Status of construction :
(i) Completed
(ii) Stage of construction

Place :

Date: Signature:

Enclosures to be submitted alongwith the above application.

 - (1) Notarised certified copy of Electoral roll, 1999 or prior Water Charges Bill or Electricity Charges Bill or Telephone charges Bill raised prior to 15-6-2000 or any registered A/D letter or Telegram with clear address and visible stamp mark in original dated on or prior to 15-6-2000 or House tax receipt or No Objection Certificate from Panchayat/Municipality or construction licence issued prior to 15-6-2000.
 - (2) Attested certified copy of Ration card, if any.
 - (3) Certified copy of Form I and XIV of the proposed land/plot.
 - (4) Attested certified copy of recommendation from Comunidade.
 - (5) Income certificate.
 - (6) Receipt of deposit of processing fees.
 - (7) Other documents as specified by the Goa Legislative Diploma No. 2070 dated 15-4-1961 Rules, 2001.

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 5th November, 2001

By order and in the name of the Governor
of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 5th November, 2001.